



## MARICOPA COUNTY JUSTICE COURT

If you want to file a...

# CIVIL COUNTERCLAIM



# MARICOPA COUNTY JUSTICE COURT

A counterclaim is a claim made by the defendant against the plaintiff. A counterclaim should be filed at the same time the defendant's answer is filed (Refer to the Civil Answer packet). If you have already filed an answer, you must file a motion requesting permission to file a counterclaim.

If the amount of your counterclaim **EXCEEDS \$10,000** the civil case will immediately be **TRANSFERRED TO THE SUPERIOR COURT** and appropriate filing fees will be assessed by the Superior Court before processing can commence.

## **Please STOP...**

- If you have not been served with a civil summons and complaint.
- If there has already been a judgment rendered.
- If you have not filed an answer to the civil complaint.

## **Please PROCEED...**

- If you are within the prescribed time limit of filing counterclaim and are filing or have filed an answer.

## **FORMS Needed:**

Civil Counterclaim

## **INSTRUCTIONS:**

- 1) Complete the form(s)
- 2) Make copies of the answer form and counterclaim form. The court will require an original of each and you may wish to have copies; additionally each named plaintiff will need a copy.
- 3) File papers with the court clerk
- 4) There is no fee for the counterclaim.
- 5) Mail the copies to the plaintiff(s).

**IT IS IMPORTANT THAT ALL PARTIES KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS** A NOTICE OF CHANGE OF ADDRESS form must be filed with the court when a party changes their address.

Visit us at <http://justicecourts.maricopa.gov/> for additional filing information and online forms.



# Maricopa County Justice Courts, Arizona

CASE NUMBER: \_\_\_\_\_

( ) -  
Plaintiff(s) Name / Address / Phone

( ) -  
Defendant(s) Name / Address / Phone

( ) -  
Attorney for Plaintiff(s) Name / Address / Phone

( ) -  
Attorney for Defendant(s) Name / Address / Phone

## COUNTERCLAIM

JCRCP Rule 117

Defendant, having failed to answer to the plaintiff's complaint, now counterclaims against the following named plaintiff(s) \_\_\_\_\_, as follows:

This is what the Plaintiff has done to cause the damages I am claiming: (state wrongful acts)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

I am asking the court to award me a judgment against the Plaintiff(s) in the sum of \$ \_\_\_\_\_  
(state claimed damages)

I am also asking for reimbursement of my court costs and interest at the legal rate from the date of judgment.

I state under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_  
Defendant

I CERTIFY that a copy of this document has been or will be mailed on \_\_\_\_\_ to:

☐ Plaintiff at the above address ☐ Plaintiff's attorney ☐ Defendant at the above address ☐ Defendant's attorney

Date: \_\_\_\_\_ By \_\_\_\_\_  
Signature

*To Plaintiff(s): You have twenty (20) days to respond this Counterclaim by filing a Written Reply. If you fail to do so, a default judgment may be entered against you for the relief sought by the party filing the Counterclaim.*